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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/060,525	01/29/2002	Theron Tock	DANAP006	8422
22434	7590	02/15/2006		
BEYER WEAVER & THOMAS LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER HARRELL, ROBERT B	
			ART UNIT	PAPER NUMBER
			2142	
DATE MAILED: 02/15/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/060,525

Applicant(s)

TOCK ET AL.

Examiner

Robert B. Harrell

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-17 and 20-23 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20060111.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: see attached Office Action.

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1. Claims 1-23 are presented for examination.

2. The applicant should use this period for response to thoroughly and very closely proof read and review the whole of the application for correct correlation between reference numerals in the textual portion of the Specification and Drawings along with any minor spelling errors, general typographical errors, accuracy, assurance of proper use for Trademarks TM, and other legal symbols ®, where required, and clarity of meaning in the Specification, Drawings, and specifically the claims (i.e., provide proper antecedent basis for “the” and “said” within each claim). Minor typographical errors could render a Patent unenforceable and so the applicant is strongly encouraged to aid in this endeavor.

3 Prior to addressing the grounds of the rejections below, should this application ever be the subject of public review by third parties not so versed with the technology (i.e., access to IFW through Public PAIR (as found on <http://portal.uspto.gov/external/portal/pair>)), this Office action will usually refer an applicant’s attention to relevant and helpful elements, figures, and/or text upon which the Office action relies to support the position taken. Thus, the following citations are neither all-inclusive nor all-exclusive in nature as the whole of the reference is cited and relied upon in this action.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this action:

A person shall be entitled to a patent unless -

(e) the invention was described in — (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language;

5. **Claims 1, 2, 18, and 19, are rejected under 35 U.S.C. 102 (e)** as being anticipated by O’Neal et al. (United States Patent 6,263,064 B1).

6. O’Neal taught a method for facilitating remote access by a mail client (e.g., see figure 1 (100)) to a mail server (e.g., see figure 1 (124)) via an intermediary server (e.g., see figure 1 (105 and 120)), said method comprising:

(a) receiving a mail access request at the intermediary server, the mail access request being sent to the intermediary server from the mail client for a requestor (e.g., see title, Abstract, col. 2 (lines 29-45, 55), col. 4 (line 15-20), and col. 8 (lines 57-64)) ;

(b) receiving a password associated with the mail access request (e.g., see col. 8 (lines 22-45));

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- (c) authenticating the requestor with the mail server based on the received password (e.g., see col. 8 (lines 22-45));
- (d) authenticating the requestor with an authentication server based on the received password, the authentication server being coupled to or within a private network (e.g., see col. 7 (lines 35-36)) that includes the mail server (e.g., see figure 1); and
- (e) permitting the mail access request when both the mail server and the authentication server authenticate the requestor (e.g., see col. 8 (lines 22-45)).

7. Per claim 2, since the password enabled the user (100 of figure 1) to gain access into the private network, such was implemented to permit for authorization through the firewall and the mail server.

8. Per claim 18 and 19, such are stored equivalents to those of claim 1 and claim 2 as given above and are thus also rejected for the same reasons given above.

9. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this office action:

a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103, examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligations under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. 102 (f) or (g) prior art under 35 U.S.C. 103.

11. **Claims 1, 2, 18, and 19 are rejected under 35 U.S.C. 103(a)** as being unpatentable over O'Neal et al. (United States Patent 6,263,064 B1).

12. That which was anticipated was obvious.

13. Viewing the claims in an alternate interpretation, O'Neal clearly taught, per above, authenticating at least one user (100) by implementing a password to gain access to the private network shown in figure 1. O'Neal clearly taught the use of the Internet (102) in figure 1. O'Neal also clearly taught the use of email servers (i.e., figure 1 (124)) as covered above. It was in the knowledge of those skilled in the art, per the substantial evidence of record, that such Internet email servers used SMTP over port 25 that required its own authentication. Thus, it

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would have been obvious to those skilled in the art to first authenticate onto the virtual private network (VPN) at the firewall, and once logged on, authenticate with the mail server located on the VPN (i.e., log onto VPN then log onto mail server). Since O'Neal taught authenticating at the firewall of the VPN, in figure 1, it would have been obvious, for added security among many users from the Internet, to authenticate at the mail server. Since no temporal order was given within the claims, the steps could be performed in the manner so given (i.e., logon to VPN then logon to mail server).

14. Claims 3-17 and 20-23 are allowable over the art of record since the art of record did not specifically recite the invention as defined in the manner recited in those claims.

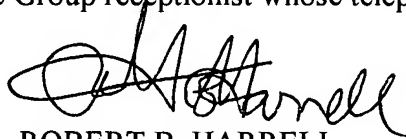
15. This Office Action is NOT Final.

16. *A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).*

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (571) 272-3895. The examiner can normally be reached Monday thru Friday from 5:30 am to 2:00 pm and on weekends from 6:00 am to 12 noon Eastern Standard Time.

18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew T. Caldwell, can be reached on (571) 272-3868. The fax phone number for all papers is (703) 872-9306.

19. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



ROBERT B. HARRELL
PRIMARY EXAMINER
GROUP 2142